

Omnibus Hearing Date: December 16, 2009 at 10:00 a.m.
Objection Deadline: December 11, 2009 at 4:00 p.m.

Thomas E. Chase, Esq. (TC-8266)
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Counsel for Malayan Banking Berhad

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

-----X	:	
In re:	:	Chapter 11
LEHMAN BROTHERS HOLDINGS INC., et al.,	:	Case No. 08-13555 (JMP)
	:	
Debtors.	:	Jointly Administered
	:	
-----X		

**[PROPOSED] ORDER GRANTING THE MOTION OF MALAYAN BANKING
BERHAD FOR LEAVE TO CONDUCT RULE 2004 DISCOVERY**

Upon consideration of the motion filed by Malayan Banking Berhad for entry of an order pursuant to Rule 2004 of the Federal Rules of Bankruptcy Procedure authorizing and directing discovery from Lehman Brothers Special Financing Inc. and Lehman Brothers Holdings Inc. (the "Debtors") in the form of (1) requests for document discovery as set forth in Schedule A attached hereto and (2) request for deposition testimony from a knowledgeable representative(s) of Debtors as set forth in Schedule B attached hereto; and the Court having jurisdiction over these matters; and due and adequate notice of the motion having been given; and after deliberation and hearing thereon, and sufficient cause appearing therefore, it is hereby

ORDERED, that the motion is hereby granted, and it is further

ORDERED, that each of the Debtors shall produce to Maybank the documents

requested in Schedule A within 20 days hereof; and it is further

ORDERED that the Debtors shall make one or more representatives most knowledgeable about the subjects listed in Schedule B available to be deposed by Maybank on at least ten (10) days prior written notice to the Debtors; and it is further

ORDERED that entry of this order is without prejudice to Maybank's right to request further discovery pursuant to Rule 2004 or other applicable law, from the Debtors.

Dated: New York, New York
November ____, 2009

The Honorable James M. Peck
United States Bankruptcy Judge

SCHEDULE A

Thomas E. Chase, Esq. (TC-8266)
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**MALAYAN BANKING BERHAD'S FIRST
REQUEST FOR THE PRODUCTION OF DOCUMENTS**

Pursuant to Fed. R. Civ. P. 34 made applicable to these proceedings through by Fed. R. Bankr. P. 7034, Malayan Banking Berhad ("Maybank") requests that Lehman Brothers Special Financing Inc. ("LBSF") and Lehman Brothers Holdings Inc. ("LBHI") produce the following documents to the offices of Rottenberg Lipman Rich, P.C., 369 Lexington Ave., New York, New York 10017 at a time to be determined by the Court:

DOCUMENTS AND THINGS TO BE PRODUCED

Maybank incorporates herein by reference the definitions set forth in Local Rule 26.3 of the Local Rules of the United States District Courts for the Southern District of New York. The requests cover the period January 1, 1992 to the present.

1. All documents concerning any derivatives transactions or agreements contemplated, negotiated or entered between any Lehman entity and Maybank.

2. All documents concerning the negotiation, execution, performance and termination of the ISDA Master Agreement, Schedule and Credit Support Annex dated as of August 7, 1992 entered between Maybank and LBSF on or about July 22, 1999.

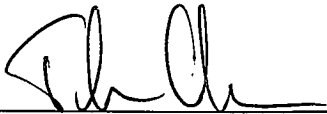
3. All documents concerning the negotiation, execution and performance of the swap transaction entered between Lehman Brothers International (Europe) ("LBIE"), LBSF, LBHI and Maybank as memorialized in the Confirmation dated July 22, 1999 (the "Swap Agreement").

4. All documents concerning the 8.75% June 1, 2009 \$8 million Note (the "Note") posted by Maybank as collateral under the Swap Agreement including, but not limited to, documents showing the identity of any party that has or had custody of the Note, the identity of the party that received payment of proceeds upon the Note's maturity, the present location of the proceeds paid upon the Note's maturity and documents showing when and how the Note was pledged, re-hypothecated, sold or otherwise transferred during the term of the Swap Agreement.

5. All documents concerning the negotiation, execution and performance of the ISDA Master Agreement, Schedules and Credit Support Annex dated July 22, 1999 entered between LBIE, LBHI and Maybank on or about October 24, 2003.

Dated: New York, New York
November 19, 2009

ROTTENBERG LIPMAN RICH, P.C.

By: 

Thomas E. Chase (TC-8266)
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Attorneys for Malayan Banking Berhad

SCHEDULE B

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NOTICE OF DEPOSITION

PLEASE TAKE NOTICE that, pursuant to Rules 7026 and 7031 of the Federal Rules of Bankruptcy Procedure and Rules 26 and 30 of the Federal rules of Civil Procedure, counsel for Malayan Banking Berhad ("Maybank"), will take the deposition upon oral examination of the representative(s) of Lehman Brothers Special Financing Inc. and Lehman Brothers Holding Inc. possessing the most knowledge regarding the topics listed on Exhibit A, attached hereto, at the offices of Rottenberg Lipman Rich, P.C., 369 Lexington Avenue, New York, New York 10017, at a time and date to be set by the Court.

Dated: New York, New York
November 19, 2009

ROTTENBERG LIPMAN RICH, P.C.

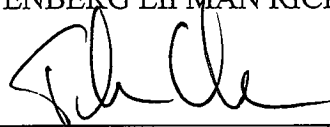
By: 
Thomas E. Chase (TC-8266)
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New York, New York 10017
(212) 661-3080
Attorneys for Malayan Banking Berhad

EXHIBIT A

Deposition topics of representative(s) of Lehman Brothers Special Financing Inc. ("LBSF") and/or Lehman Brothers Holding Inc. ("LBHI"):

1. The negotiation, execution and performance of any derivative agreements or transactions between any Lehman entity and Malayan Banking Berhad ("Maybank") since 1992 to the present.
2. The negotiation, execution and performance of the ISDA Master Agreement, Schedule and Credit Support Annex dated as of August 7, 1992 entered on or about July 22, 1999 between LBSF and Maybank (the "1999 Agreement").
3. The negotiation and execution of the Termination Agreement dated as of November 18, 2003 entered between LBSF and Maybank.
4. The negotiation, execution and performance of the ISDA Master Agreement, Schedule and Credit Support Annex dated as of July 22, 1999 entered on or about October 24, 2003 between LBIE and Maybank.
5. The conditions under which any Lehman entity held or holds the \$8 million 8.75% June 1, 2009 Note (the "Note") posted by Maybank as Eligible Collateral under the 1999 Agreement including, but not limited to, whether the Note was pledged, rehypothecated, sold or otherwise transferred; whether the Note was redeemed upon maturity; the identity of the party or parties who received the proceeds paid upon the Note's maturity; and the present location of any proceeds paid upon the Note's maturity.